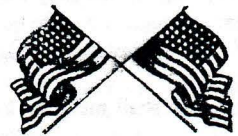


# NEW JERSEY MILITIA NEWSLETTER



Volume 1/Issue No. 6

A monthly newsletter

December, 1995

All persons are by nature free and independent, and have certain natural and unalienable rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing, and protecting property, and of pursuing and obtaining safety and happiness.

--Article I, Section 1, New Jersey State Constitution

## THE EVIL OF OVER LEGISLATION

(This letter to the editor appeared in the The Long Branch Daily Record, December 31, 1910.)

*"Government is becoming more and more paternalistic, and the despot of the olden time from whom mankind escaped after so many centuries of tribulation is now reappearing. By a multitude of ill-considered laws we are enslaving ourselves. In my opinion a few precepts of common law are worth a ton of your present-day statutes. You enact a law and leave it. Soon the courts are applying it to things you never intended the law to apply to, and are holding that it has nothing to do with the things that you had intended it to apply."*

---Representative S.W. McCall, Massachusetts

The Daily Record followed this letter with the following quote:

*"It was always so. Mr. Gladstone in a notable address said that nearly every important reform in Great Britain during his long career in Parliament had been brought about not by enacting new laws but by repealing old ones. Some day we shall have to undertake that kind of reform in this country, and it will be a real reform."*

---New York World

The Editor of The Daily Record concluded by saying:

*"Many of the laws we now have simply obstruct justice and progress. Every dead letter law does this. For every one helps kill reverence for law as a whole and thus tends to encourage lawlessness."*

*Attempting to accomplish the impossible by statutory enactment is a serious evil and one with which this country has always been afflicted, thanks to the noxious influence of Puritanism.*

*When will the lesson be learned that too few laws are always safer and better than too many?"*

The Long Branch Daily Record sold for one cent per-issue back in 1910, but is worth its weight in gold for its independent thought and individualism that was once common in our country. It should be noted that The Daily Record was just an average newspaper in its day.

It's a shame that we today have to read an 85 year old newspaper to find this kind of journalism.

While we are on the subject of legislation, here's a classic quote by Lysander Spooner:

*"What, then, is legislation? It is an assumption by one man, or body of men, of absolute, irresponsible dominion over all other men whom they can subject to their power. It is the assumption by one man, or body of men, of a right to subject all other men to their will and their service. It is the assumption by one man, or body of men, of the right to abolish outright all the natural rights, all the natural liberty of all other men; to make all other men their slaves; to arbitrarily dictate to all other men what they may, and may not, do; what they may, and may not, have; what they may, and may not, be. It is, in short, the assumption of a right to banish the principle of human rights, the principle of justice itself, from off the earth, and to set up their own personal will, pleasure, and interest in its place. All this, and nothing less, is involved in the very idea that there can be any such thing as human legislation that is obligatory upon those upon whom it is imposed."*

## CORRECTION

In our October issue of NJM we quoted USC 18, Section 242: *DEPRIVATION OF RIGHTS UNDER COLOR OF LAW*.

We received a letter from an observant patriot from the Republic of Texas informing us that we quoted the older version of 242. He sent us a copy of the revised version:

*"Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both and if bodily injury results from the acts committed in violation of this section or if such acts include the use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentence to death."*

## A WORD FROM THE OHIO STATE MILITIA

Fellow friends and patriots,

Just a short note to let you know we are here. We have been in operation since 1989 and



## DECLARATION OF GRIEVANCE

"But when a long train of abuses and usurpation, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security". (quoted from the Declaration of Independence).

Therefore, We the people do declare that as of this day, July 22, 1995, Congress shall make no further law or regulation abridging, infringing or encroaching upon the Second amendment to the united States Constitution. This includes banning, confiscation and/or registration of arms and ammunition.

Congress shall make no further law abridging, infringing or encroaching upon the rights of freedom of association or freedom of speech of the people. This includes, but is not limited to, so-called "counter-terrorism", "anti-terrorism" or "anti-militia" legislation, Executive Orders, Presidential Directives, and Treaties which are outside the scope of the federal powers enumerated in the united States Constitution.

Any unjust attack upon any part of the militia will be considered an attack upon the militia as a whole and upon their Constitutional basis to provide for the defense of their families, states and nation against all enemies, foreign and domestic.

We oppose any world government organization that would infringe upon our sovereignty as Americans or that would supersede the united States Constitution.

Any action taken against the American people by United Nations forces, including the quartering of United Nations troops or stationing of United Nations equipment on American soil by treaty, legislation or Executive Order, will be opposed by the militia.

Any act declaring martial law or a state of emergency which would deprive the American people of life, liberty or property without due process of law shall be considered an act in contravention to the united States Constitution.

Any violation of the Posse Comitatus Act will be considered an act of aggression against the American people.

Any alteration of the united States Constitution not in accordance with Article V will not be tolerated.

The Founding Fathers, in the original Declaration of Independence, put forth the principle that when government, which derives its powers from the consent of the governed, no longer protects the unalienable rights of the governed, then a people scorned, ignored, and plundered by unconstitutional acts are compelled to exercise their RIGHT and DUTY to take up arms in response to acts of war against the American people. We appeal to our Just God, Who rules over the Destiny of Nations, in this righteous cause. BLESSED IS THE NATION WHOSE GOD IS THE LORD (Psalm 33:12).

(Adopted July 22, 1995 by representatives of the militia of the united States of America as a petition to Congress)

we meet on the third Sunday every month at our H.Q.

Please pass along our location on your networks. I would like to hear from all of you at my personal address. Thank you and keep the candle burning.

Yours in freedom,  
Richard D. Morgan  
3725 State of Ohio Road  
London, OH 43140  
614-852-1166

### NEW JERSEY STATE GOVERNMENT LOSES MILLIONS BY REFUSING TO RECOGNIZE THE MILITIA

If our elected officials in Trenton had not tampered with the New Jersey Constitution of

1775, and had not tampered with existing laws at that time, local governments would be making a windfall profit at the present time.

The Congress of New Jersey in the summer of 1775 passed the following laws:

*"That all effective men, between the ages of 16 and 50, who shall refuse to enroll themselves and bear arms, shall pay into the hands of the Township Committees, where they reside, four Shillings Proclamation Money per month, as an equivalent for their personal service." (Resolved, #7)*

Anyone refusing to serve in the State Militia must pay local governments money...each month ...to avoid militia service?! Watch the dollar signs light up in the eyes of politicians when they read this!

So strong were the beliefs of our state government officials 200 years ago that everyone should serve in the Militia that they

imposed penalties on those who refused to pay the four shillings. Resolved #8 states:

*"That in case any person shall refuse paying the same, the Committee shall return his name to the Provincial Congress, or to the Committee of Safety, to be dealt with as they shall direct."*

Resolved #9 covered fines for Militia members who "neglects to attend on the day of mustering, shall pay two Shillings Proclamation for every mustering day he is absent, unless he can give a sufficient reason for his absence, to be judged by his Captain..."

Resolved #10 states: *"That the Monies received by the Committees and Captains, from persons who do not bear arms, nor attend their duty upon mustering days, shall be by them jointly applied towards defraying the expense attending the instruction and equipment of the Companies in their respective districts—the fines of persons under age to be paid by their parents, and of apprentices by their masters."*

Resolved #11: *"That each private soldier to be furnished with good arms, powder and ball, as near as may be, agreeable to the requisitions of the Continental Congress"*.

It's a safe bet that the only way state governments will allow Militia's to be establish is if they can somehow make money off of them.

As soon as legislator's in Trenton, along with Governor Whitman, realize that if they reestablish the Militia, set a muster date and then fine every male between the ages of 16 to 50 the dollar value of 4 shillings for not showing up, watch how fast attitudes change in Trenton.

## OLD ANSWER FOR A MODERN PROBLEM

Have you ever watched a politician on T.V. spouting a policy or law that he wants Congress to pass---a law that is blatantly unconstitutional---and yet, as you listen to him speak, he presents his proposals with such conviction, passion and assurance, that you find yourself asking the question: "How can some one be so wrong and at the same time believe himself to be so right?"

For those of us who have studied the Constitution, Bill of Rights, Federalist Papers, the writings of Jefferson, Paine, and Henry and American history, find ourselves mystified by some of our our legislators in Washington.

There is a verse of Scripture in the Old Testament that may shed some light onto this enigma: *"In those days there was no king in*

**Those who have been once intoxicated with power, and have derived any kind of emolument from it, even though but for one year, can never willingly abandon it.**

---EDMUND BURKE



Israel, but every man did that which was right in his own sight." Judges 17:6.

This verse denotes a sad period in ancient Israel's history. No sooner had Israel crossed the river Jordan under the leadership of Joshua (after spending 40 years in the wilderness under the tutelage of Moses) then Israel quickly abandoned The Law that Moses gave them and established their own law: Doing that which is right in their own sight.

If this verse were rewritten and applied it to our political scene today it would read: "Because Washington is ignoring the Constitution, every politician passes legislation that seemeth right in his own sight."

Next time you see someone like Charles Schumer on T.V., one of the most rabid anti-Second Amendment, anti-NRA politicians we have, ( whose anti-gun rhetoric would fall under Winston Churchill's definition of a fanatic: "Some one who can't shut up and can't change the subject." ), you must remember, Schumer believes he's right, not according to the Constitution, but that which seemeth right in his own sight...

Our Constitution was written by Statesmen who were infinitely more intelligent than who we have in Washington today, and if our politicians abided by the Constitution, and stopped passing legislation that "seemeth right in their own sight", the Militia/Patriot movement would disappear over night.

## CONVERTED GUNS?

Fourty-six guns recovered from the Mt. Carmel rubble by Texas Rangers were said to have been converted to full auto---solely by sometimes misleading outward appearances. Three weeks before the hearings, committee investigators and experts from nationally respected Failure Analysis Associates---which had been hired by the NRA-ILA---went to Austin to examine the guns.

The Justice Department representative was totally cooperative until he learned Failure Analysis had brought portable X-ray equipment to look inside the guns. Justice refused to allow the photos and Rep. Charles Schumer (D-NY) began screaming that the NRA was violating congressional ethics rules by bring in independent experts to ferret out the truth.

Reprinted from the ---SURVIVOR Nov. 1995

## NEW JERSEY PINE LANDS DESIGNATED AS INTERNATIONAL BIOSPHERE RESERVE

For those of us who live in New Jersey and have traveled through the Pine Lands it may come as a surprise, and a bit of a mystery, as to

why it has been "recognized by Congress in 1978 to be an area of national significance because of its unique resources" and designated as a Biosphere Reserve.

It's not what is in the Pine Barrens that has caught the interests of Congress but what's under the Pine Barrens: 17 trillion gallons of fresh water, enough to cover the entire state with 10 feet of water. The fact of the matter is that the New Jersey Pine Barrens contains the largest fresh water aqua reserve in the world.

Needless to say that beauracrat mentalitiy has determined that water rights supersedes citizens rights. With information supplied to NJM by *The Pinelander*, the official newsletter of the N.J. Pinelands Commission, we learned that: "As we noted in the last issue of the "Pinelander", Governor Whitman signed a Senate Bill into law which provided \$1 million in state funds to match an equal appropriation of federal funds for the "limited practical use" program. This program authorizes the state to acquire relatively small properties in the Pinelands which have limited development potential.

Since that time, Commission staff have sent questionnaires to landowners who may be eligible to sell their property to the state. The Commission is reviewing the questionnaires to determine the landowner's eligibility, and will notify the landowners of their findings by August 31, 1995."

## THE UNITED NATIONS LOYALTY OATH

"I solemnly affirm to exercise in all loyalty, discretion and conscience the functions entrusted to me as a member of the International Service of the United Nations, to discharge those functions and regulate my conduct with the interest of the United Nations only in view, and not to seek or accept instructions in respect to the performance of my duties from any government or other authority external to the organization."

This is the oath Spc. Michael New refused to swear allegiance to. It was reported last week that Spc. New will be court-martialed for his decision.

The following is a fax from Michael New's father, Daniel D. New, addressed to the "New" Army of The Republic:

"Thank you for your efforts in publicizing the story of our son, Spc. Michael New, and for your hard work in raising support for the Defense Fund. We are overwhelmed by the support from around the country. You really have become a "New" Army of The Republic! Let me assure you that this is not a Republican vs. Democrat issue; nor is it a Liberal vs. Conservative issue. Rather, this is an AMERICAN issue.

Here is the new timetable for Spc. Michael New's legal affairs:

November 17---arraignment in Wurzburg, Germany. (No cameras or recorders to be present, and only a small pool of journalists admitted.)

December 20-21---hearing for motions in Wurzburg.

January---court martial to begin.

Many of you have asked us to let you know what you can do to help Michael New in his little disagreement with the U.S. Army over the question of their authority to force him to wear a U.N. uniform or to serve a U.N. agenda. We now have an encouraging piece of legislation. H.R. 2540, introduced in the House by Rep. Tom DeLay, of Sugarland, Texas, and a companion bill, S. 1370, filed 10/31 in the Senate by Sen. Larry Craig of Idaho.

Here's the critical wording in each bill: "No member of the armed forces may be required to wear as part of the uniform any badge, symbol, helmet, headgear, or other visible indicia or insignia which indicates any allegiance to the United Nations."

As far as they go, these bills need to pass Congress, and Congress needs to override the inevitable veto. They will offer a measure of protection to our men and women in uniform, insuring that they cannot be forced to wear a U.N. uniform. We applaud this start, and yet must point out that the bill does not address the issue of our military being forced, unconstitutionally, to serve under foreign commanders or even under the usurped powers of an executive branch run amok. These bills are a beginning point, not a solution. Your assignment, (should you choose to accept it), is to:

1. Get a copy of each bill from your Representative and each Senator.
2. Make copies of the bills for distribution to your existing network of voters and activists.
3. See that H.R. 2540 and S. 1370 are co-sponsored by your Congressmen.
4. Feel free to ask your Congressmen to strengthen these bills with amendments. (If you know anyone who has frequent-flier miles they don't intend to use, perhaps they would donate them to the Michael New Defense fund in order to help us save cash contributions for the legal expenses that are looming ahead.)

Daniel D. New  
91 West Austin  
Conroe, Texas 77301

Contributions and letters to Michael should go to Michael New Defence Fund. P.O. Box 1136. Crestwood, KY 40014



## THE LORD GIVETH AND THE LEGISLATORS TAKETH AWAY

The United States has the highest prison population in the world. Is it a case of bad people or bad laws that is filling our prisons?

Under Common Law, (i.e. common sense) on which principles our Constitution is based, two things are needed for a crime to be committed: (1) criminal intent (2) a victim.

These principles were recognized in the Old Testament under the Law of Moses, even in cases of accidental death, (Deut. 19:4-7). What happened to the principle of "no victim, no crime, no criminal intent, no crime" in 20th century America? The answer is they have, in many cases, been legislated away.

With an estimated 25,000 "legislated" gun laws on city, county, state and federal levels, firearms ownership has come under enormous legislative restrictions. The restrictive gun laws have landed many innocent people in jail, despite the fact that there is, in many cases, a total absence of criminal intent or victim.

Lysander Spooner accurately described this principle when he wrote: *"It is a maxim of the law that there can be no crime without a criminal intent; that is, without the intent to invade the person or property of another."*

This is what Spooner referred to as THE SCIENCE OF JUSTICE: *"The science of mine and thine—the science of justice—is the science of all human rights; of all a man's rights of person and property; of all his rights to life, liberty, and the pursuit of happiness."*

*It is the science which alone can tell any man what he can, and cannot do; what he can, and cannot have; what he can, and*

*cannot say, without infringing the rights of any other person."*

Legislation which disregard these principles create "synthetic felonies". One piece of legislation that has created the greatest number of synthetic felonies in American history was the Prohibition Act.

Congress, in their infinite wisdom, thought they could legislate morality, or at least their definition of morality, through legislation; despite the fact that there is no mention of abstinence from alcohol in the Old or New Testament. Moderation, yes, but abstinence, no. Had Jesus turned water into wine in America during the Prohibition Era, as He did at the wedding in Cana of Galilee, He would have spent at least a year and a day in one of our federal prisons. So much for the moral wisdom of Congress.

How many innocent people are there in our prisons today who have violated neither natural or Biblical law, while Legislators, judges and prosecutors, who violate natural, Biblical and common law on a daily basis, remain free?

Another blind spot on the part of our legislators is their inability to distinguish the difference between a vice and a crime. As Spooner put it: *"Vices are those acts by which a man harms himself or his property. Crimes are those acts by which one man harms the person or property of another. Vices are simply the errors which a man makes in his search after his own happiness. Unlike crimes, they imply no malice toward others, and no interference with the persons or property of others. In vices, the very essence of crime—that is, the design to injure the person or property of another—is wanting."*

## Letters

*Ed.: the following letter is dated Oct. 30; we doubt that we'll ever receive a reply. Nonetheless LEAA is one of the few police groups that believe in the right to keep and bear arms. Therefore, it is worthy of our support.*

Mr. James J. Fotis, Executive Director  
Law Enforcement Alliance of America  
7700 Leesburg Pike., Suite 421  
Falls Church, VA 22043

Dear Mr. Fotis,

As an LEAA member and member of the New Jersey Militia I wonder if an LEAA spokesman would be willing to address a meeting of the NJM. NJM whole heartedly supports all law enforcement officers who uphold the law of the land, the Constitution. It is my belief that many NJM members would join LEAA, assuming that LEAA would want them in view of today's climate of hysteria directed against the militia by a totally irresponsible and divisive media.

Inclosed is the first issue of our newsletter, which lays out our philosophy and goals. All twenty-one sheriffs in NJ have a copy of the issue, as well as a news bulletin [requesting that they contact us whenever they receive slanderous reports about us from the Southern Poverty Law Center], also inclosed. The last inclosure, "Make Your Sheriff Number One", is re-printed from another newsletter. In addition we have been in contact with the State Police and Air Force police regarding our protest against the U.N. Oct. 22 at McGuire AFB. Thus NJM honors law enforcement officers and all lawful authority.

Kindly advise if LEAA has a spokesman willing to address the New Jersey Militia.

**"IN THE BEGINNING OF CHANGE, THE PATRIOT IS A SCARCE MAN; BRAVE, HATED AND SCORNE. WHEN HIS CAUSE SUCCEEDS, HOWEVER, THE TIMID JOIN HIM, FOR THEN IT COSTS NOTHING TO BE A PATRIOT."**

**--MARK TWAIN**

**The New Jersey Militia needs your support!! We plan to follow Thomas Jefferson's ideal to "educate and inform the whole mass of the people..."**

**We want to hear from you! Send your comments, suggestions, personal stories and donations to address below:**

**N J M**

**Box 10176**

**Trenton, NJ 08650**

**(609) 695-2733**

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